

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KATHERINE GUILL, on behalf of)	
herself and those similarly situated,)	
)	
Plaintiff,)	
)	
v.)	1:19CV1126
)	
BRADLEY R. ALLEN, SR., in his)	
official capacity as Chief District)	
Court Judge, et al.)	
)	
Defendants.)	

ORDER

At the parties' request, on May 8, 2020, the Court entered a Consent Order for Preliminary Injunction, (Joint Mot. to Approve Consent Order for Prelim. Inj. [Doc. #55]; Order [Doc. #56]), pursuant to which, among other protections, indigent defendants have been provided counsel free of charge at first appearances in Alamance County. Because Alamance County does not have a public defender office, the Office of Indigent Defense Services ("IDS") secured the provision of counsel at first appearances by contracting with attorneys. By letter dated September 7, 2021, IDS's Executive Director notified the parties' counsel that IDS would not have the funds to renew the contracts when they expire the end of November. (Br. in Supp. of Mot. to Enforce Prelim. Inj., Ex. A [Doc. #64-1].)

Anticipating that indigent defendants would not be provided counsel free of charge at first appearances in Alamance County as of December 1, Plaintiff moved

to enforce the Consent Order [Doc. #63]. The parties fully briefed the motion, and a hearing was held on November 30, 2021. As explained on the record, Plaintiff's motion is denied. No one disputes that the Consent Order remains in effect and the parties are bound by its terms; thus, at this point, nothing requires an additional order requiring the Judicial Defendants to comply. And, to the extent that the Judicial Defendants informally requested to be excused from the obligation to provide counsel, they made no showing that would justify modification of or being excused from undertaking their responsibilities in the Consent Order.

For the reasons explained on the record and above, IT IS HEREBY ORDERED that Plaintiff's Motion to Enforce Preliminary Injunction [Doc. #63] is DENIED.

This the 3rd day of December, 2021.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge